

Remarks

There are no amendments made in connection with filing this Response. Claims 1-8 are currently pending in this application. Applicant sincerely requests the Examiner to reconsider the pending rejections in view of the following remarks.

The previous rejections dated August 15, 2007 were withdrawn in view of Applicant's Response filed on November 15, 2007. However, in the present Office Action, claims 1-8 are rejected in view of the new grounds of rejection, namely, in view of a newly cited reference Mudd et al. (US Des. Pat. D493,812 S) in combination with other references under 35 U.S.C. 103(a).

More specifically, claims 1-4 and 7 are rejected under 35 U.S.C. 103(a) over **Mudd et al.** (US Des. Pat. D493,812 S) in view of Ohyama (US Pat. 6,317,155). Claim 5 is rejected under 35 U.S.C. 103(a) over **Mudd et al.** in view of Ohyama, and further in view of McLoone et al. (US Pat. No. 7,229,227). Claim 6 is rejected under 35 U.S.C. 103(a) over **Mudd et al.** in view of Ohyama, and further in view of Moriya (US Des. Pat. D490,433 S). Claim 8 is rejected under 35 U.S.C. 103(a) over **Mudd et al.** in view of Ohyama, and further in view of Yamamoto et al. (US Pat. 5,734,417).

As detailed herein below, Applicant respectfully submits that the above-stated rejections of claims 1-8 are improper and should be withdrawn at least for the reason that, under 35 U.S.C. 103(c), **Mudd et al.** (US Des. Pat. D493,812 S) is not a valid prior art reference to be cited to reject the present invention.

According to 35 U.S.C. 103(c)(1), subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of Section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was

made, owned by the same person or subject to an obligation of assignment to the same person. (Emphases added).

As evidenced by the enclosed assignment records of the United States Patent and Trademark Office for the present application and Mudd et al. (US Des. Pat. D493,812), the present application and the Mudd et al. reference were, at the time the claimed invention was made, owned by the same entity, namely, Samsung Techwin Co., LTD.

Accordingly, under 35 U.S.C. 103(c), the Mudd et al. reference cannot be used as 103/102(e) prior art reference to reject the present application since both cases were owned by the same company at the time the claimed invention was made.

In view of the above remarks, Applicants respectfully submit that claims 1-8 are patentable over the references of record and in condition for allowance. Favorable reconsideration and early notice to that effect is earnestly solicited.

Respectfully submitted,



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